

REMARKS

Claims 30-42 are pending. Claims 30-42 are newly added. Claims 1-29 are canceled without prejudice, waiver, or disclaimer. No new matter has been added.

First Section 112 Rejection

Claims 1, 2, and 5-29 were rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. Applicants have canceled claims 1, 2, and 5-29 to expedite the prosecution of this patent application. Accordingly, Applicants respectfully request that the Section 112, first paragraph rejection be withdrawn.

Section 103 Rejection

Claims 1, 2, and 5-29 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Dandurand (“Market Niche Analysis In the Casino Gaming Industry,” Journal of Gambling Studies, Vol. 6(1), Spring 1990) in view of Sheppard (U.S. Patent No. 6,026,397) in view of Acres (U.S. Patent Application Publication No. 2006/0183529) in view of Kelly et al. (U.S. Patent No. 6,645,068) (“Kelly”).

Applicants have canceled claims 1, 2, and 5-29 to expedite the prosecution of this patent application. Hence, Applicants respectfully request that the Section 103 rejection of claims 1, 2, and 5-29 be withdrawn.

Official Notice

It is stated in the Official Notice that “it is old and well known in the casino and gaming industry that age or gender information can be used for player tracking and targeting purposes (Applicant’s [4] of PG_PUB)” (see page 4). Moreover, pages 17, 18, and 21 of the Office Action also mention similar instances of the Official Notice. Applicants respectfully submit that the present patent application has not been published. For the record, it is assumed that the Examiner is referring to the pre-grant publication of a related continuation application, Publication No. US 2006/00080175.

New Claims

Independent claim 30 recites “providing . . . a promotional offering as an award to a second subset of individuals within the first subset in response to the receiving the query related to the first subset”, as claimed. In contrast, Dandurand discloses on page 78 that:

[m]arket niche analysis is the sixth type of analysis following global market analysis, domestic market analysis, generic market analysis, product market analysis, and segment market analysis. A niche market is a sixth level market in a segmentation analysis framework or process. . . . Market niche analysis is the investigation of a target market for purposes of enhancing the marketing program for one or more actual or potential customers in the base target market.

The combination of Dandurand, Sheppard, Acres, and Kelly does not disclose or suggest “providing . . . a promotional offering as an award to a second subset of individuals within the first subset in response to the receiving the query related to the first subset” because in Dandurand, there is no reception of a query. Rather, in Dandurand, a market niche analysis is performed. There is no disclosure or suggestion of “receiving the query” as claimed. The performance of the market niche analysis does not disclose or suggest “receiving the query.” A performance is not ‘receiving’, as claimed. Moreover, Sheppard, Acres, and Kelly are not cited to cure the deficiencies in Dandurand. Rather, Sheppard is cited to disclose that “numerous clusters for targeting can be determined”, Acres is cited to disclose “using a card and card reader”, and Kelly is cited to disclose a “gaming device including microphones, speech input, voice recognition” (see Office Action, pages 7, 13, and 16). Hence, for at least the reasons set forth above, Applicants submit that claim 30 would not have been obvious over the combination of Dandurand, Sheppard, Acres, and Kelly.

Moreover, Applicants respectfully submit that it would not have been obvious for one of ordinary skill in the art to combine Sheppard with Dandurand, Acres, and Kelly because Sheppard does not relate to gaming and Dandurand, Acres, and Kelly relate to gaming. For example, Sheppard discloses “clustering the data records into a plurality of clusters containing data records having similar parameters” (see Abstract). There is no disclosure in Sheppard that these data records relate to gaming. Hence, one of ordinary skill in the art would

not have combined Sheppard with Dandurand, Acres, and Kelly. Therefore, for at least the reasons set forth above, claim 30 would not have been obvious over the combination of Dandurand, Sheppard, Acres, and Kelly.

For at least the same reasons set forth above, Applicants respectfully submit that claims 31-42 would not have been obvious over the combination of Dandurand, Sheppard, Acres, and Kelly.

Conclusion

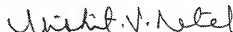
It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited and Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Applicants hereby petition for any required fee in connection with the filing of this Amendment is to be charged to Deposit Account No. 504480 (Order No.IGT1P048).

Respectfully submitted,
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